

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION**

**LINDA L. HELTON and
WILLIAM R. HELTON**

Plaintiffs,

v.

CARRABBA'S ITALIAN GRILL,

Defendant.

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**NO. 3:17-CV-116
REEVES/GUYTON**

MEMORANDUM OPINION AND ORDER

On April 18, 2018, Defendant filed a motion for summary judgment on all claims against it [D. 18]. On May 9, Plaintiffs responded with a motion to deny or continue consideration of Defendant's motion for summary judgment under Federal Rule of Civil Procedure 56(d) until further discovery could be taken [D. 23]. Defendant did not object and agreed to cooperate in scheduling depositions [D.25]. The Court granted Plaintiffs' motion, ordering the Plaintiffs to file their response *on or before* August 20 [D. 27].

Plaintiffs have not responded to Defendant's motion and the time for doing so has passed. *See* E.D. Tenn. L.R. 7.1(a). In this Court, failure to respond to a motion "may be deemed a waiver to any opposition to the relief sought." *See* E.D. Tenn. L.R. 7.2. Accordingly, Plaintiffs are **ORDERED** to **SHOW CAUSE** in writing on or before **September 10, 2018**, as to why the Defendant's motion should not be granted and this action dismissed. A failure to respond by that date will be grounds for the Court either granting Defendant's motion or dismissing this case for failure to prosecute.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE